

**ORIGINAL**

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October 27, 2004



Vernon A. Williams  
Secretary  
Surface Transp. Board  
Washington DC 20423

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Re: F.D. No. 34561, Canadian Pac. Railway-Tr.Rts.-Norfolk Southern Ry.  
F.D. No. 34562, Norfolk Southern Ry.-Tr.Rts.-Delaware & Hudson Ry.  
Docket No. AB-156 (Sub-No. 25X), Delaware & Hudson Ry.-Discontinuance

Dear Mr. Williams:

The pleading in the entitled proceedings, "Petition to Revoke the Class Exemption for the Two Notices," filed October 25, unfortunately did not include the signed verification of Mr. Nasca, immediately before the final 6-page Appendix, due to facsimile transmission problems.

The signed page in substitution is attached hereto, and should replace the corresponding page in the text as filed.

Three originals and 10 copies are provided for your use.

I regret this inconvenience.

Very truly yours,

*Gordon P. MacDougall*  
Atty. for Samuel J. Nasca

cc: All parties

ENTERED  
Office of Proceedings

OCT 27 2004

Part of  
Public Record

F.D. No. 34561  
F.D. No. 34562  
AB-156 (Sub-25X)

SUPPLEMENTAL VERIFIED  
STATEMENT OF SAMUEL J. NASCA

My name is Samuel J. Nasca. I am the same person of same name that submitted a verified statement, dated October 5, 2004, in this proceeding.

I have reviewed my October 5, 2004 statement, and incorporate the same herein.

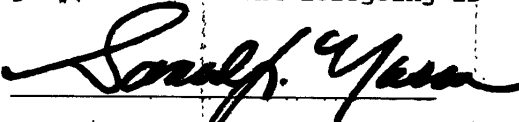
Attached as my Appendix 1 is the 6-page notice by D&H given to its employees, together with Questions and Answers, dated June 30, 2004. Appendix 1 gives information supplemental to the general press releases attached to my earlier verified statement.

I am further concerned about permitting the Rouses Point-Binghamton corridor agreements, listed in the "Summary of Documents" filed October 12, 2004, by NS, CPR, and D&H, which include the "Saratoga-East Binghamton Trackage Rights Agreement," to become effective prior to determination of the D&H discontinuance proceeding, which the Board instituted on October 21, 2004. My fear is that the trackage rights might be utilized to purposes other than traffic now having a movement on the D&H line between Binghamton and Buffalo.

VERIFICATION

STATE OF NEW YORK  
COUNTY OF ALBANY

Under the penalties of perjury, I affirm the foregoing is true and correct as stated.



SAMUEL J. NASCA

October 25, 2004

